

Serial No.: 10/051,778  
Docket No.: 10016640-1

### **REMARKS**

#### **Indication of Allowable Subject Matter**

Applicants greatly appreciate the Examiner's statement in the previous Office Action in which claims 7, 8, 14, and 15 have been indicated as allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. However, Applicants believe that, based on the arguments and amendments presented herein, that the independent claims are also allowable. Therefore, Applicants have not amended claims 7, 8, 14, and 15 herein.

#### **Cancellation of Claims 2 and 10**

Claims 2 and 10 are canceled without prejudice, waiver, or disclaimer. Applicants take this action merely to reduce the number of disputed issues and to facilitate early allowance and issuance of other claims in the present application. Applicants reserve the right to pursue the subject matter of the canceled claims in a continuing application, if Applicants so choose, and do not intend to dedicate any of the canceled subject matter to the public.

#### **Response To Claim Rejections Under 35 U.S.C. §102**

Claims 1-6, 9-13 and 16-36 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Dodge *et al.* (U.S. Patent No. 5,655,130, "*Dodge*"). Applicants respectfully traverse this rejection on the grounds that Dodge does not disclose, teach, or suggest all of the claimed elements.

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Anticipation requires that each and every element of the claimed invention be disclosed in a single prior art reference. *See e.g., In re Paulsen*, 30 F.3d 1475, 31 USPQ 2d 1671 (Fed. Cir. 1994); *In re Spada*, 911 F.2d 705, 15 USPQ 2d 1655 (Fed. Cir. 1990). In addition, for anticipation, there must be no difference between the claimed invention and the reference disclosure, as viewed by a person of ordinary skill in the field of the invention. *See, e.g., Scripps Clinic & Res. Found. v. Genentech, Inc.*, 927 F.2d 1565, 18 USPQ 2d 1001 (Fed. Cir. 1991.)

In the present case, not every feature of the claimed invention is represented in the *Dodge* reference. Applicant discusses the *Dodge* reference and Applicant's claims in the following. Each of the independent claims as amended recites "a user identifier", "code that identifies a user", "means for identifying a user", or "logic that identifies a user." *See* claims 1, 9, 16, 17, 20, 29, 35, and 36. Additionally, each of the claims 1, 9, 16, 17, 20, 29, 35, and 36 recites an "ephemeral interest of the identified user." *Id.* *Dodge* does not teach or suggest these features. The Office Action in supporting its allegation that these features are disclosed by *Dodge* states as follows:

Dodge et al. disclose a method of inputting a user identifier into the client (users electronically tailor their view of the document so it includes only the information they want to see, col. 6, lines 65-67. Examiner notes that in order to tailor a document for a specific user, it is inherently necessary to distinguish the user with some form of user identifier.

*Office Action* at 2-3. Applicant respectfully disagrees with the Examiner's interpretation of the cited passage of *Dodge*. Specifically, *Dodge* states the following:

For example, while viewing an electronic document containing information for the PC, UNIX, and mainframe, a user interested in only information about the mainframe version can suppress the PC and UNIX information. In this way, users electronically tailor their view of the document so it includes only the information they want to see.

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*Dodge* at col. 6, lines 61-67. Applicants do not believe that simply by suppressing certain information that any user identifier input is required. For example, a user can one minute request that PC information be suppressed, view the information, and in another minute request that UNIX information be suppressed. No identifying information about the user is input in order to accomplish these tasks. Certainly the user identifier is not used in conjunction with inputting, or conveying information associated with, an ephemeral interest of the identified user, as recited in each of the amended independent claims. Therefore, for at least this reason, *Dodge* does not teach or suggest all of the features recited in independent claims 1, 9, 16, 17, 20, 29, 35, and 36. Applicants respectfully submit that *Dodge* does not anticipate the claims, and request that the rejection of these claims be withdrawn.

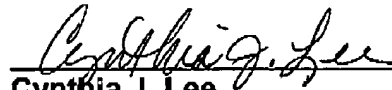
Because independent claims 1, 9, 16, 17, 20, 29, 35, and 36 are allowable over *Dodge*, dependent claims 3-8, 11-15, 18-19, 21-28, and 30-34 are allowable as a matter of law for at least the reason that the dependent claims 3-8, 11-15, 18-19, 21-28, and 30-34 contain all elements of their respective base claim. See, e.g., *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988).

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### **CONCLUSION**

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 1, 3-9, and 11-36 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,



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